

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF
REGULATION AND LICENSING

FILE COPY

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	91 RAL 24
SOUTHERN WISCONSIN SECURITY, INC.	:	89 RAL 1
AND WISCONSIN BUREAU OF	:	
PRIVATE INVESTIGATION	:	
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Southern Wisconsin Security, Inc.
and Wisconsin Bureau of Private Investigation
1219 Robincrest Lane
Elkhorn, WI 53121

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department of Regulation and Licensing ("Department"). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Southern Wisconsin Security, Inc. and Wisconsin Bureau of Private Investigation ("Security") was a private detective agency licensed in the State of Wisconsin pursuant to license # 5415, said license having been granted on March 27, 1979.
2. During various periods since March 19, 1988, Security has allowed insurance coverage required by law to lapse.
3. On several occasions, Security has assigned personnel to act as security guards, at times when the security guard had not been licensed as a private detective or issued a private security permit as required by sec. 440.26, Wis. Stats.
4. By FINAL DECISION AND ORDER DENYING RENEWAL APPLICATION, dated December 3, 1990, Security's application for renewal of its agency license was denied.

5. Security failed to take appropriate steps to discontinue its practice as licensed private detective agency following non-renewal of its agency license.

CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Sec. 440.26 (6), Wis. Stats.

2. The Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to Sec. 227.44(5), Wis. Stats.

3. Respondent Southern Wisconsin Security, Inc. and Wisconsin Bureau of Private Investigation has violated

a. Sec. RL 35.01(11), Wis. Adm. Code, by failing to maintain a bond or liability policy for the period of licensure as required by sec. 440.26, Wis. Stats.

b. Sec. RL 35.01(13), Wis. Adm. Code, by assigning a person to perform security services who has not been issued a license or permit prior to performing services.

c. Sec. RL 35.01(19), Wis. Adm. Code, by practicing without a current license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the right of Respondent Southern Wisconsin Security, Inc. and Wisconsin Bureau of Private Investigation to renew its private detective agency (# 5145) is suspended effective December 3, 1990.

Respondent will not operate or attempt to operate as a private detective agency, or use the title or anything else to indicate operation as private detective agency until it is currently licensed.

Respondent will not apply for renewal of its agency license so long as the suspension is in effect and the suspension will remain in effect until such time as Respondent satisfies the following:

a. Pays Five Hundred (\$500) dollars as a forfeiture to the Department of Regulation and Licensing.

b. Submits the name of each individual to be employed or assigned by Respondent as a security guard, together with proof in the form of a copy of the security guard permit or private detective license indicating that each individual, including Richard Bichsel, Sr., is authorized to act as a private security guard.

c. Submits proof that Respondent has obtained and will maintain a bond or liability policy as required by sec. 440.26, Wis. Stats., during the period of licensure.

IT IS FURTHER ORDERED, that the Department of Regulation and Licensing shall close investigative file # 89 RAL 1.

Dated this 11th day of April, 1991.

DEPARTMENT OF REGULATION AND LICENSING

by: Marlene A. Conway

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF
REGULATION AND LICENSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	STIPULATION
	:	91 RAL 24
SOUTHERN WISCONSIN SECURITY, INC.	:	89 RAL 1
AND WISCONSIN BUREAU OF	:	
PRIVATE INVESTIGATION	:	
RESPONDENT.	:	

It is hereby stipulated by the Southern Wisconsin Security, Inc. and Wisconsin Bureau of Private Investigation ("Respondent"), by Richard Bichsel, Sr. and the Department of Regulation and Licensing, Division of Enforcement by its Attorney Richard Castelnovo, as follows:

1. This Stipulation is entered into as a result of a license denial proceeding and investigation of the licensure of Respondent by the Division of Enforcement (91 RAL 24 and 89 RAL 1). Respondent consents to the resolution of these matters by Stipulation to be submitted directly to the Department of Regulation and Licensing ("Department") for approval.
2. Respondent is aware and understands his rights with respect to disciplinary proceedings, including the right to a statement of the allegations against it; the right to a hearing at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against it; the right to call witnesses on its behalf and to compel attendance of witnesses by subpoena; the right to present testimony; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to it under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Department of Regulation and Licensing.
4. Respondent is aware of his right to seek legal representation and has obtained legal advice prior to execution of this Stipulation.
5. With respect to the attached Final Decision and Order, Respondent does not contest the matters set forth therein, and agrees that the Department may make the findings set forth in the Findings of Fact, may reach the conclusions set forth in the Conclusions of Law, and may in lieu of other discipline allowed by law enter the Order requiring payment of a forfeiture and suspending the right to renew its license until Security satisfies certain conditions.
6. If the terms of this Stipulation are not acceptable to the Department of Regulation and Licensing, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order, and the matter

shall be returned to the Division of Enforcement for further proceedings. In the event that the Stipulation is not accepted by the Department of Regulation and Licensing, the parties agree not to contend that the Department of Regulation and Licensing has been prejudiced or biased in any manner by the consideration of this attempted resolution.

7. If the Department of Regulation and Licensing accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

8. Respondent agrees that complainant's attorney, Richard M. Castelnovo, may appear at any deliberative meeting of the Department of Regulation and Licensing with respect to this stipulation but that appearance is limited to statements solely in support of the Stipulation and for no other purpose.

9. The Division of Enforcement joins Respondent in recommending that the Department of Regulation and Licensing adopt this Stipulation and issue the attached Final Decision and Order.--

Richard R. Bischel, Sr.
Southern Wisconsin Security, Inc.
and Wisconsin Bureau of Private
Investigation
by Richard Bischel, Sr.
Title:

Date

8 April 1991

Richard M. Castelnovo
Richard M. Castelnovo, Attorney
Division of Enforcement

Date

April 10, 1991

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Department of Regulation and Licensing.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Department of Regulation and Licensing.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Department of Regulation and Licensing.

The date of mailing of this decision is April 15, 1991.

227.49 Petitions for rehearing in contested cases. (1) A petition for rehearing shall not be a prerequisite for appeal or review. Any person aggrieved by a final order may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. An agency may order a rehearing on its own motion within 20 days after service of a final order. This subsection does not apply to s. 17.025 (3) (e). No agency is required to conduct more than one rehearing based on a petition for rehearing filed under this subsection in any contested case.

(2) The filing of a petition for rehearing shall not suspend or delay the effective date of the order, and the order shall take effect on the date fixed by the agency and shall continue in effect unless the petition is granted or until the order is superseded, modified, or set aside as provided by law.

(3) Rehearing will be granted only on the basis of:

(a) Some material error of law.

(b) Some material error of fact.

(c) The discovery of new evidence sufficiently strong to reverse or modify the order, and which could not have been previously discovered by due diligence.

(4) Copies of petitions for rehearing shall be served on all parties of record. Parties may file replies to the petition.

(5) The agency may order a rehearing or enter an order with reference to the petition without a hearing, and shall dispose of the petition within 30 days after it is filed. If the agency does not enter an order disposing of the petition within the 30-day period, the petition shall be deemed to have been denied as of the expiration of the 30-day period.

(6) Upon granting a rehearing, the agency shall set the matter for further proceedings as soon as practicable. Proceedings upon rehearing shall conform as nearly may be to the proceedings in an original hearing except as the agency may otherwise direct. If in the agency's judgment, after such rehearing it appears that the original decision, order or determination is in any respect unlawful or unreasonable, the agency may reverse, change, modify or suspend the same accordingly. Any decision, order or determination made after such rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination.

227.52 Judicial review; decisions reviewable. Administrative decisions which adversely affect the substantial interests of any person, whether by action or inaction, whether affirmative or negative in form, are subject to review as provided in this chapter, except for the decisions of the department of revenue other than decisions relating to alcohol beverage permits issued under ch. 125, decisions of the department of employee trust funds, the commissioner of banking, the commissioner of credit unions, the commissioner of savings and loan, the board of state canvassers and those decisions of the department of industry, labor and human relations which are subject to review, prior to any judicial review, by the labor and industry review commission, and except as otherwise provided by law.

227.53 Parties and proceedings for review. (1) Except as otherwise specifically provided by law, any person aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review thereof as provided in this chapter.

(a) Proceedings for review shall be instituted by serving a petition therefor personally or by certified mail upon the agency or one of its officials, and filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Unless a rehearing is requested under s. 227.49, petitions for review under this paragraph shall be served and filed within 30 days after the service of the decision of the agency upon all parties under s. 227.48. If a rehearing is requested under s. 227.49, any party desiring judicial review shall serve and file a petition for review within 30 days after service of the order finally

disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The 30-day period for serving and filing a petition under this paragraph commences on the day after personal service or mailing of the decision by the agency. If the petitioner is a resident, the proceedings shall be held in the circuit court for the county where the petitioner resides, except that if the petitioner is an agency, the proceedings shall be in the circuit court for the county where the respondent resides and except as provided in ss. 77.59 (6) (b), 182.70 (6) and 182.71 (5) (g). The proceedings shall be in the circuit court for Dane county if the petitioner is a nonresident. If all parties stipulate and the court to which the parties desire to transfer the proceedings agrees, the proceedings may be held in the county designated by the parties. If 2 or more petitions for review of the same decision are filed in different counties, the circuit judge for the county in which a petition for review of the decision was first filed shall determine the venue for judicial review of the decision, and shall order transfer or consolidation where appropriate.

(b) The petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. The petition may be amended, by leave of court, though the time for serving the same has expired. The petition shall be entitled in the name of the person serving it as petitioner and the name of the agency whose decision is sought to be reviewed as respondent, except that in petitions for review of decisions of the following agencies, the latter agency specified shall be the named respondent:

1. The tax appeals commission, the department of revenue.

2. The banking review board or the consumer credit review board, the commissioner of banking.

3. The credit union review board, the commissioner of credit unions.

4. The savings and loan review board, the commissioner of savings and loan, except if the petitioner is the commissioner of savings and loan, the prevailing parties before the savings and loan review board shall be the named respondents.

(c) Copies of the petition shall be served, personally or by certified mail, or, when service is timely admitted in writing, by first class mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made.

(d) The agency (except in the case of the tax appeals commission and the banking review board, the consumer credit review board, the credit union review board, and the savings and loan review board) and all parties to the proceeding before it, shall have the right to participate in the proceedings for review. The court may permit other interested persons to intervene. Any person petitioning the court to intervene shall serve a copy of the petition on each party who appeared before the agency and any additional parties to the judicial review at least 5 days prior to the date set for hearing on the petition.

(2) Every person served with the petition for review as provided in this section and who desires to participate in the proceedings for review thereby instituted shall serve upon the petitioner, within 20 days after service of the petition upon such person, a notice of appearance clearly stating the person's position with reference to each material allegation in the petition and to the affirmance, vacation or modification of the order or decision under review. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service thereof, with the clerk of the reviewing court within 10 days after such service. Service of all subsequent papers or notices in such proceeding need be made only upon the petitioner and such other persons as have served and filed the notice as provided in this subsection or have been permitted to intervene in said proceeding, as parties thereto, by order of the reviewing court.

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF
THE INVESTIGATION OF

DALE PENEGOR, D.V.M.,

Licensee

MEMORANDUM AND ORDER ON SETTLEMENT CONFERENCE

TO: Robert J. Penegor
Attorney at Law
16655 W. Bluemound Road, Suite 100
Brookfield, WI 53005

Pamela M. Stach
Attorney at Law
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708

An informal settlement conference was conducted in the above-captioned matter before the Veterinary Examining Board on January 9, 1991. The purpose of the conference was to provide interested parties with an opportunity to discuss allegations received pertaining to the practice of Dr. Penegor as a veterinarian, and to attempt to reach a fair and consensual resolution of the matter.

Dr. Penegor appeared in person and by Attorney Robert J. Penegor. Others present in addition to the board were Wayne Austin, the board's legal counsel, and Pamela M. Stach, attorney for the Department of Regulation & Licensing, Division of Enforcement.

The parties orally presented their respective positions regarding the matter to the board, and the board deliberated on a possible disposition of the matter. The board thereafter presented a proposed Stipulation for Dr. Penegor's consideration, a copy of which is attached hereto and made a part hereof. The Stipulation was ultimately executed by Dr. Penegor, Mr. Penegor, Ms. Stach and Dr. Schroeder, board Chair.

Based upon the proceedings at the conference, and upon the Stipulation of the parties, the board enters the following order.

ORDER

NOW, THEREFORE, IT IS ORDERED that based on the findings and conclusions in this case, as set forth in the Stipulation of the parties hereto, Dale Penegor, D.V.M., be, and hereby is, reprimanded.

Dated this 10 day of ^{April}~~February~~, 1991.
~~March,~~

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

by J. A. Hines
~~Deborah L. Schroeder, DVM~~ J. A. Hines, DVM
Chair.

WRA:BDLS:1140

STATE OF WISCONSIN
BEFORE VETERINARY EXAMINING BOARD

IN THE MATTER OF
THE INVESTIGATION OF

DALE PENEGOR, D.V.M.,

Licensee

STIPULATION

Dale Penegor, D.V.M. (Dr. Penegor), and the Veterinary Examining Board (board), having reached agreement on disposition of the informal complaints identified as 87 VET 13 and 89 VET 17, agree and stipulate as follows:

1. This Stipulation shall be made a part of a *Memorandum and Order on Settlement Conference* to be issued by the board, and all terms of the Stipulation shall be binding on Dr. Penegor as a part of the board's order.
2. This Stipulation and the board's order shall be placed in Dr. Penegor's permanent file, and may be used if there are further complaints against him.
3. Dr. Penegor is licensed to practice veterinary medicine in Wisconsin by license #850, issued in 1965, and he practices at Hales Corners Veterinary Clinic, 5118 South 108th Street, Hales Corners, WI 53130.
4. On February 12, 1985, Dr. Penegor performed a declawing procedure on a cat owned by Ms. Jo Lindoo.
5. Ms. Lindoo subsequently relocated to another area and, in early 1987, presented the cat at the Park Pet Hospital S.C., Milwaukee, Wisconsin, for routine vaccinations. On physical examination by David K. Rosen, D.V.M., it was noted that one of the cat's claws was growing back. On further examination, it was noted that there were two other areas of regrowth, and a subsequent radiograph revealed that a portion of P3 was present in all of the toes.
6. A second declaw procedure was performed by Dr. Rosen. The cat reportedly made a normal recovery and is currently clinically normal.

1/24/91

7. On July 30, 1985, Dr. Penegor performed a declawing procedure on a cat owned by Darwin Pharo.

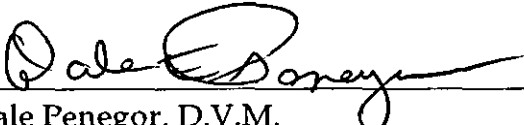
8. Sometime in 1988, the Pharos noted that the cat had an abscess on a toe of the left rear paw resulting from regrowth of a claw. Dr. Penegor indicated that he would perform a second declaw procedure without charge to the Pharos, but the Pharos instead presented the cat for treatment at the Cudahy Veterinary Clinic. M.J. Johnson, D.V.M., performed the repair of the regrowth on April 21, 1989.

9. In declawing the Lindoo and the Pharo cats, Dr. Penegor utilized the Rescoe technique, which is an appropriate declawing technique.

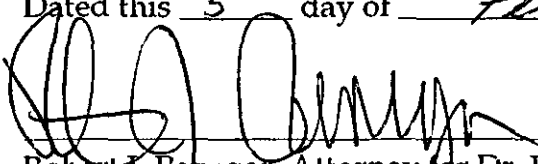
10. In the instances set forth herein, Dr. Penegor engaged in conduct in the practice of veterinary medicine which evidenced a lack of knowledge or ability to apply professional principles or skills, in violation of Wis. Adm. Code sec. VE 7.06(1).

10. The parties agree that appropriate discipline to be imposed in light of this violation is a formal reprimand.

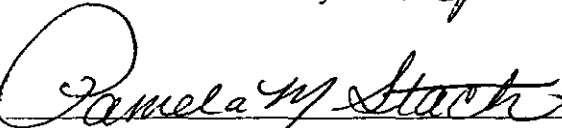
Dated this 5 day of Feb, 1991.


Dale Penegor, D.V.M.

Dated this 5 day of Feb, 1991.

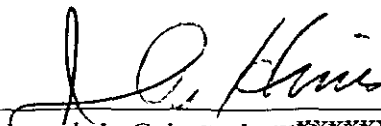

Robert J. Penegor, Attorney for Dr. Penegor

Dated this 14th day of April, 1991.


Pamela M. Stach, Attorney, Office of Board Legal Services

Dated this 10 day of April, 1991.

STATE OF WISCONSIN VETERINARY EXAMINING BOARD

by 
~~Deborah L. Schroeder, D.V.M., Chair~~
J. A. Hines, DVM, Chair

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Veterinary Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Veterinary Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Veterinary Examining Board.

The date of mailing of this decision is April 15, 1991.

WLD:dms
886-490

227.49 Petitions for rehearing in contested cases. (1) A petition for rehearing shall not be a prerequisite for appeal or review. Any person aggrieved by a final order may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. An agency may order a rehearing on its own motion within 20 days after service of a final order. This subsection does not apply to s. 17.025 (3) (e). No agency is required to conduct more than one rehearing based on a petition for rehearing filed under this subsection in any contested case.

(2) The filing of a petition for rehearing shall not suspend or delay the effective date of the order, and the order shall take effect on the date fixed by the agency and shall continue in effect unless the petition is granted or until the order is superseded, modified, or set aside as provided by law.

(3) Rehearing will be granted only on the basis of:

(a) Some material error of law.

(b) Some material error of fact.

(c) The discovery of new evidence sufficiently strong to reverse or modify the order, and which could not have been previously discovered by due diligence.

(4) Copies of petitions for rehearing shall be served on all parties of record. Parties may file replies to the petition.

(5) The agency may order a rehearing or enter an order with reference to the petition without a hearing, and shall dispose of the petition within 30 days after it is filed. If the agency does not enter an order disposing of the petition within the 30-day period, the petition shall be deemed to have been denied as of the expiration of the 30-day period.

(6) Upon granting a rehearing, the agency shall set the matter for further proceedings as soon as practicable. Proceedings upon rehearing shall conform as nearly may be to the proceedings in an original hearing except as the agency may otherwise direct. If in the agency's judgment, after such rehearing it appears that the original decision, order or determination is in any respect unlawful or unreasonable, the agency may reverse, change, modify or suspend the same accordingly. Any decision, order or determination made after such rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination.

227.52 Judicial review; decisions reviewable. Administrative decisions which adversely affect the substantial interests of any person, whether by action or inaction, whether affirmative or negative in form, are subject to review as provided in this chapter, except for the decisions of the department of revenue other than decisions relating to alcohol beverage permits issued under ch. 125, decisions of the department of employee trust funds, the commissioner of banking, the commissioner of credit unions, the commissioner of savings and loan, the board of state canvassers and those decisions of the department of industry, labor and human relations which are subject to review, prior to any judicial review, by the labor and industry review commission, and except as otherwise provided by law.

227.53 Parties and proceedings for review. (1) Except as otherwise specifically provided by law, any person aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review thereof as provided in this chapter.

(a) Proceedings for review shall be instituted by serving a petition therefor personally or by certified mail upon the agency or one of its officials, and filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Unless a rehearing is requested under s. 227.49, petitions for review under this paragraph shall be served and filed within 30 days after the service of the decision of the agency upon all parties under s. 227.48. If a rehearing is requested under s. 227.49, any party desiring judicial review shall serve and file a petition for review within 30 days after service of the order finally

disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The 30-day period for serving and filing a petition under this paragraph commences on the day after personal service or mailing of the decision by the agency. If the petitioner is a resident, the proceedings shall be held in the circuit court for the county where the petitioner resides, except that if the petitioner is an agency, the proceedings shall be in the circuit court for the county where the respondent resides and except as provided in ss. 77.59 (6) (b), 182.70 (6) and 182.71 (5) (g). The proceedings shall be in the circuit court for Dane county if the petitioner is a nonresident. If all parties stipulate and the court to which the parties desire to transfer the proceedings agrees, the proceedings may be held in the county designated by the parties. If 2 or more petitions for review of the same decision are filed in different counties, the circuit judge for the county in which a petition for review of the decision was first filed shall determine the venue for judicial review of the decision, and shall order transfer or consolidation where appropriate.

(b) The petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. The petition may be amended, by leave of court, though the time for serving the same has expired. The petition shall be entitled in the name of the person serving it as petitioner and the name of the agency whose decision is sought to be reviewed as respondent, except that in petitions for review of decisions of the following agencies, the latter agency specified shall be the named respondent:

1. The tax appeals commission, the department of revenue.

2. The banking review board or the consumer credit review board, the commissioner of banking.

3. The credit union review board, the commissioner of credit unions.

4. The savings and loan review board, the commissioner of savings and loan, except if the petitioner is the commissioner of savings and loan, the prevailing parties before the savings and loan review board shall be the named respondents.

(c) Copies of the petition shall be served, personally or by certified mail, or, when service is timely admitted in writing, by first class mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made.

(d) The agency (except in the case of the tax appeals commission and the banking review board, the consumer credit review board, the credit union review board, and the savings and loan review board) and all parties to the proceeding before it, shall have the right to participate in the proceedings for review. The court may permit other interested persons to intervene. Any person petitioning the court to intervene shall serve a copy of the petition on each party who appeared before the agency and any additional parties to the judicial review at least 5 days prior to the date set for hearing on the petition.

(2) Every person served with the petition for review as provided in this section and who desires to participate in the proceedings for review thereby instituted shall serve upon the petitioner, within 20 days after service of the petition upon such person, a notice of appearance clearly stating the person's position with reference to each material allegation in the petition and to the affirmance, vacation or modification of the order or decision under review. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service thereof, with the clerk of the reviewing court within 10 days after such service. Service of all subsequent papers or notices in such proceeding need be made only upon the petitioner and such other persons as have served and filed the notice as provided in this subsection or have been permitted to intervene in said proceeding, as parties thereto, by order of the reviewing court.